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Attorneys for Defendant  
TRI-MERIT, LLC

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION**

CTI III, LLC,

Plaintiff,

v.

BARRY DEVINE, an individual; TRI-MERIT,  
LLC, an Illinois limited liability company; and  
DOES 1 through 50,

Defendants.

CASE NO. 2:21-cv-02184-JAM-DB

**STIPULATION AND ORDER TO SET  
DATES FOR FILING OF AMENDED  
COMPLAINT AND RESPONSES TO  
AMENDED COMPLAINT**

State Court Action Filed: October 21, 2021  
Removal Filed: November 24, 2021

**STIPULATION**

Plaintiff CTI III LLC and Defendants Barry Devine and Tri-Merit LLC (“Tri-Merit”), through their respective counsel, hereby stipulate as follows:

1. On or about November 24, 2021, Tri-Merit removed this case to federal court.
2. The same day, the parties submitted a stipulation to extend the date for Defendants to respond to Plaintiff’s complaint until December 29, 2021 to permit the parties time to meet and confer with respect to any challenges to Plaintiff’s complaint as required under this Court’s standing order.

3. Thereafter, the parties have met and conferred by video-conference and by email with respect to Plaintiff's complaint.

4. Based on the meet and confer process, Plaintiff intends to file an amended complaint.

5. In order to permit Plaintiff time to prepare an amended complaint, and Defendants the opportunity to respond, the parties agree that it is reasonable for Plaintiff to file its amended complaint on or before January 7, 2022, and Defendants to file their responses to the amended complaint on or before January 28, 2022.

IT SO STIPULATED AND SO REQUESTED.

DATED: December 17, 2021

GREENBERG TRAURIG, LLP

By: /s/ Todd Pickles

KURT A. KAPPES  
TODD PICKLES  
MADELINE ORLANDO  
Attorneys for Defendant  
TRI-MERIT, LLC

DATED: December 17, 2021

LELAND, PARACHINI, STEINBERG, MATZGER &  
MELNICK, LLP

By: /s/ David B. Tillotson (as authorized 12.17.21)

DAVID B. TILLOTSON  
RAVI D. SAHAE  
Attorneys for Plaintiff  
CTI III, LLC

DATED: December 17, 2021

FORTIS LAW PARTNERS LLC

By: /s/ Cara Thornton (as authorized 12.17.21)

CARA THORNTON (admitted *pro hac vice*)  
Attorneys for Defendant  
BARRY DEVINE

**ORDER**

This matter came before the Court on the parties' stipulation to set the dates for Plaintiff to file an amended complaint and for Defendants to file their responses to the amended complaint. For the reasons stated in the stipulation and good cause showing, the Court ADOPTS the parties' stipulated schedule.

Accordingly, IT IS HEREBY ORDERED THAT Plaintiff shall file an amended complaint on or before January 7, 2022, and Defendants shall file responses to the amended complaint on or before January 28, 2022.

IT IS SO ORDERED.

DATED: December 20, 2021

/s/ John A. Mendez

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THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE